

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Application of Thomas Daniel HEIGHTMAN et al.

International Application No.: PCT/GB05/001333

International Filing Date: April 6, 2005

For: Tetrahydrobenzazepines as Histamine H3 Receptor Ligands

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

☒ Copies of the references are enclosed

☐ Copies of the references were submitted in parent application Serial No. _____.
(37 CFR 1.98(d))

☒ A copy of the International Search Report which issued on International Application No. _____ PCT/GB2005/001333 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 as items 14-19 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:

- (1) a final action under § 1.113 or
- (2) a notice of allowance under § 1.311,

whichever occurs first.

☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

- C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. **[or]**
- ☐ Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and
- ☐ The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.

☒ Please charge any required fees to Deposit Account No.07-1392.

☐ A duplicate copy of this paper is attached.

Respectfully Submitted,

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				INT'L FILING NO.		PCT/GB2005/001333	
				INT'L FILING DATE		April 6, 2005	
				APPLICANT		Heightman et al.	
				GROUP			
				EXAMINER			
				ATTORNEY DOCKET NO.		PB60825USw	
U.S. PATENT DOCUMENTS							
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	1.	4,210,749	7/1/1980	Shetty			
	2.	5,364,791	11/15/1994	Vegeto et al.			
	3.	5,874,534	2/23/1999	Vegeto et al.			
	4.	5,935,934	8/10/1999	Vegeto et al.			
FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
	5.	WO96/05194	2/22/1996	PCT			abstract only
	6.	WO00/21951	4/20/2000	PCT			
	7.	WO00/23437	4/27/2000	PCT			abstract only
	8.	WO01/03680	1/18/2001	PCT			
	9.	WO01/87834	11/22/2001	PCT			abstract only
	10.	WO02/02530	1/10/2002	PCT			abstract only
	11.	WO02/14513	2/21/2002	PCT			abstract only
	12.	WO02/15934	2/28/2002	PCT			abstract only
	13.	WO02/040471	5/23/2002	PCT			
	14.	WO03/090751	11/6/2003	PCT			
	15.	WO04/018432	3/4/2004	PCT			
	16.	WO04/056369	7/8/2004	PCT			
	17.	WO04/026305	4/1/2004	PCT			
	18.	WO04/035544	4/29/2004	PCT			
	19.	WO05/14479	2/17/2005	PCT			
	20.	WO05/039591	5/6/2005	PCT			
	21.	1268243	3/22/1972	GB			
	22.	2207430	8/23/1973	DE			no
	23.	2171879	9/28/1973	FR			no
	24.	2001226269	8/21/2001	JP			no
OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)							
	25.	AUSTIN et al., Novel 2,3,4,5-Tetrahydro-1H-3-benzazepines with High Affinity and Selectivity for the Dopamine D ₃ Receptor, Bioorg. & Med. Chem. Ltrs. 10 :2553-2555 (2000).					
	26.	SMIT et al., Regulation of the human histamine H1 receptor stably expressed in Chinese hamster ovary cells, Br. J. Pharmacol. 117 (6):1071-1080 (1996).					
	27.	GIOVANNINI et al., "Effects of histamine H ₃ receptor agonist and antagonists on cognitive performance and scopolamine-induced amnesia," Behavioral Brain Res. 104 :147-155 (1999).					
	28.	LEURS et al., "Therapeutic potential of histamine H ₃ receptor agonists and antagonists," TiPS 19 :177-183 (May 1998).					
	29.	LOVENBERG et al., "Cloning and Functional Expression of the Human Histamine H ₃ Receptor," Molecular Pharmacology 55 :1101-1107 (1999).					
	30.	ONODERA and WATANABE, "Histamine H ₃ Antagonists as Potential Therapeutics in the CNS," ed Leurs and Timmerman, pp255-267, Elsevier Science B.V. (1998).					
	31.	SCHLICKER et al., Modulation of Neurotransmitter Release via histamine H ₃ heteroreceptors, Fund. Clin. Pharmacol. 8 :128-137 (1994).					
	32.	SULLIVAN et al., Calcium Signaling Protocols, (In: Lambert DG (ed.) New Jersey; Humana Press, 1999, 125-134.					
	33.	VILLALOBOS et al., Novel Benzisoxazole Derivatives as Potent and Selection Inhibitors of Acetylcholinesterase, J. Med. Chem. 37 :2721-2734 (1994).					
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							